

**ENTERED**

June 22, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

M.D., <i>et al.</i> , Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 2:11-CV-00084
GREG ABBOTT, <i>et al.</i> , Defendants.	§	

**ORDER**

Pending before the Court is the Defendants' Opposed Motion for Continuance (D.E. 1377), in which they request a continuance of the status conference currently scheduled for June 27, 2023. The Defendants have not shown that a continuance is necessary to prepare for the hearing: The Monitors' Sixth Report was submitted on the same timeline as the Monitors' prior reports, and no State entity objected to any prior report on the ground that there was insufficient time for review.<sup>1</sup> And as the Defendants are aware, the Monitors' Sixth Report, like all prior reports, is based entirely upon information that is either provided by the State or available to the State. Finally, to the extent

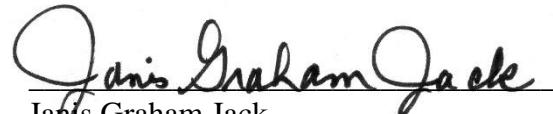
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<sup>1</sup> Without deciding its applicability, counsel appears to have misstated Federal Rule of Civil Procedure 53, in that the Rule provides only that objections "may" be filed up to 21 days "after a copy is served, unless the court sets a different time." Of note, a draft of the Monitors' first report was provided to the Defendants on June 12, 2020; the report was filed on June 16, 2020 (D.E. 869); and the Defendants' objections were filed on July 6, 2020 (D.E. 903). No separate hearing was held on this report. A draft of the Monitors' second report was provided to the Defendants on April 27, 2021; the report was filed on May 4, 2021 (D.E. 1079); hearing was held on May 5 and 6, 2021 (D.E. 1094; D.E. 1092); the Defendants' objections were filed on May 18, 2021, and they filed amended objections on May 24 (D.E. 1095; 1099). A draft of the Monitors' third report was provided to the Defendants on December 22, 2021; the report was filed on January 10, 2022 (D.E. 1165); hearing was held on January 11, 2022; and the Defendants filed no objections to the third report. A draft of the Monitors' fourth report was provided to the Defendants on May 29, 2022; the report was filed on June 2, 2022 (D.E. 1248); hearing was held on June 6, 2022; and the defendants filed no objections to the fourth report. A draft of the Monitors' fifth report was provided to the Defendants on January 3, 2023; the report was filed on January 20, 2023 (D.E. 1318); hearing was held on January 27, 2023; and the Defendants filed no objections to the fifth report. Finally, a draft of the Monitors' Update to the Court Regarding Site Visits and the Reopening of The Refuge for DMST was provided to the Defendants on March 20, 2023; the Update was filed on March 27, 2023 (D.E. 1337); hearing was held on April 12, 2023; and the Defendants filed objections on April 17, 2023 (D.E. 1344).

the Defendants are concerned about the plaintiffs' recently-filed show cause motion, the Court notes that it will not be heard for at least three months.

Accordingly, the Motion for Continuance is DENIED.

SIGNED and ORDERED on June 22, 2023.

  
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James Graham Jack  
Senior United States District Judge